

**IN THE CLAIMS**

Please amend the claims as follows:

Claim 1 (currently amended): A fixing apparatus for fixing a visible image, comprising:

~~a first rotating means for fixing member a visible image transferred on a medium from a transfer device which develops an electrostatic latent image formed on a latent image bearing body with a developer; and~~

~~second rotating means for rotatably supporting the first rotating means while the first rotating means fixes the visible image on the medium, the second rotating means being positioned to form a transfer pass for the medium with the first rotating means;~~

an opposite member formed at an opposite side of said fixing member so as to form a nip between said fixing member and said opposite member, wherein the fixing apparatus uses developer contains a toner having a volume mean grain size of from 5 to 10 micrometers and a grain size not larger than 5 micrometers accounting for 60 through 80 number percent, and the first rotating means has wherein a surface resistivity of the opposite member is between  $1 \times 10^7$  through  $1 \times 10^{10} \Omega/\text{square}$ .

Claim 2 (currently amended): The fixing apparatus according to Claim 1, wherein the opposite member first rotating means has a surface coated with a layer of fluoresin with a carbon content.

Claim 3 (currently amended): The fixing apparatus according to Claim 1, wherein the opposite member first rotating means has a surface layer, <sub>1</sub> [[and]] a core, and an insulating layer provided between the surface layer and the core.

Claim 4 (original): The fixing apparatus according to Claim 1, wherein the toner comprises resin constituents, colorants, wax constituents, and inorganic particulates.

Claim 5 (original): The fixing apparatus according to Claim 1, wherein the toner is manufactured by pulverization or polymerization.

Claim 6 (currently amended): The fixing apparatus according to Claim 2, wherein the surface of the opposite member coated with the layer of fluoresin with a carbon content ~~the first rotating means~~ contains an electroconductive agent of spherical carbon, a percentage composition of the electroconductive agent being conditional on the surface resistivity of the ~~first rotating means~~ opposite member, standing at less than  $1 \times 10^{10} \Omega/\text{square}$  when the voltage at the time of measurement is 500V and not less than  $1 \times 10^7 \Omega/\text{square}$  at 10V.

Claim 7 (original): The fixing apparatus according to Claim 4, wherein the resin constituent comprises at least one constituent selected from the group consisting of styrene, poly- $\alpha$ -stilstyrene, styrene-chlorostyrene copolymer, styrene-propylene copolymer, styrene-butadiene copolymer, styrene-vinyl chloride copolymer, styrene-vinyl acetate copolymer, styrene-maleic acid copolymer, styrene-acrylic ester copolymer, styrene-methacrylic acid ester copolymer, styrene- $\alpha$ -chloroacrylic methyl copolymer, styrene-acrylonitrile-acrylic ester copolymer and other styrene resins (polymers or copolymers containing styrene or styrene substitution product), polyester resin, epoxy resin, vinyl chloride resin, rosin modified maleic acid resin, phenol resin, polyethylene resin, polyester resin, polypropylene resin, petroleum rosin, polyurethane resin, ketone resin, ethylene-ethylacrylate copolymer, xylene resin, and polyvinyl butyral.

Claim 8 (original): The fixing apparatus according to Claim 4, wherein the colorant comprises at least one colorant selected from the group consisting of carbon black, lampblack, iron black, ultramarine blue, nigrosine dye, aniline blue, chalco oil blue, oil black, and azo oil black.

Claim 9 (original): The fixing apparatus according to Claim 4, wherein the wax constituent comprises at least one wax constituent selected from the group consisting of a carnauba wax, rice wax, and synthetic ester wax.

Claim 10 (original): The fixing apparatus according to Claim 4, wherein the inorganic particulates comprise at least one kind of particulates selected from the group consisting of silica particulates and titanium oxide particulates.

Claim 11 (currently amended): An image-forming device comprising a fixing apparatus, the fixing apparatus comprising:

~~a transfer device configured to develop an electrostatic latent image formed on a latent image bearing body into a visible image with a developer and transfer the visible image onto a medium; and~~

~~a fixing means for fixing the visible image on the medium, member; and~~

~~an opposite member formed at an opposite side of said fixing member so as to form a nip between said fixing member and said opposite member, wherein the ~~developer~~ contains fixing apparatus uses a toner having a volume mean grain size of from 5 to 10 micrometers and a grain size not larger than 5 micrometers accounting for 60 through 80 number percent, the fixing means includes first rotating means for fixing the visible image on the medium, and the first rotating means has wherein a surface resistivity of the opposite member is between  $1 \times 10^7$  through  $1 \times 10^{10} \Omega/\text{square}$ .~~

Claim 12 (currently amended): The image-forming device according to Claim 11, wherein the ~~fixing means includes second rotating means positioned to form a transfer pass for the medium with the first rotating means, and the first rotating means~~ opposite member has a surface coated with a layer of fluoresin with a carbon content.

Claim 13 (currently amended): The image-forming device according to Claim 11, wherein the ~~first rotating means~~ opposite member has a surface layer, ~~[[and]]~~ a core, and an insulating layer provided between the surface layer and the core.

Claim 14 (original): The image-forming device according to Claim 11, wherein the toner comprises resin constituents, colorants, wax constituents, and inorganic particulates.

Claim 15 (original): The image-forming device according to Claim 11, wherein the toner is manufactured by pulverization or polymerization.

Claim 16 (currently amended): The image-forming device according to Claim 12, wherein the surface of the opposite member coated with the ~~coated~~ layer of fluoresin with a carbon content ~~the first rotating means~~ contains an electroconductive agent of spherical carbon, a percentage composition of the electroconductive agent being conditional on the surface resistivity of the ~~first rotating means~~ opposite member, standing at less than  $1 \times 10^{10}$   $\Omega$ /square when the voltage at the time of measurement is 500V and not less than  $1 \times 10^7$   $\Omega$ /square at 10V.

Claim 17 (original): The image-forming device according to Claim 14, wherein the resin constituent comprises at least one constituent selected from the group consisting of styrene, poly- $\alpha$ -stilstyrene, styrene-chlorostyrene copolymer, styrene-propylene copolymer, styrene-butadiene copolymer, styrene-vinyl chloride copolymer, styrene-vinyl acetate copolymer, styrene-maleic acid copolymer, styrene-acrylic ester copolymer, styrene-methacrylic acid ester copolymer, styrene- $\alpha$ -chloroacrylic methyl copolymer, styrene-acrylonitrile-acrylic ester copolymer and other styrene resins (polymers or copolymers containing styrene or styrene substitution product), polyester resin, epoxy resin, vinyl chloride resin, rosin modified maleic acid resin, phenol resin, polyethylene resin, polyester

resin, polypropylene resin, petroleum resin, polyurethane resin, ketone resin, ethylene-ethylacrylate copolymer, xylene resin, and polyvinyl butyral.

Claim 18 (original): The image-forming device according to Claim 14, wherein the colorant comprises at least one colorant selected from the group consisting of carbon black, lampblack, iron black, ultramarine blue, nigrosine dye, aniline blue, chalcocite blue, oil black, and azo oil black.

Claim 19 (original): The image-forming device according to Claim 14, wherein the wax constituent comprises at least one wax constituent selected from the group consisting of a carnauba wax, rice wax, and synthetic ester wax.

Claim 20 (original): The image-forming device according to Claim 14, wherein the inorganic particulates comprise at least one kind of particulates selected from the group consisting of silica particulates and titanium oxide particulates.

Claims 21-30 (canceled)